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BEFORE THE ARIZONA CORPORATION C

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Arizona Corporation Commission

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COMMISSIONERS

KRISTIN K. MAYES - Chairman

GARY PIERCE

PAUL NEWMAN

SANDRA D. KENNEDY

BOB STUMP

IN THE MATTER OF THE APPLICATION OF
GRANITE MOUNTAIN WATER COMPANY,
INC. FOR APPROVAL OF A RATE
INCREASE.

DOCKET NO. W-02467A-09-0333

IN THE MATTER OF THE APPLICATION OF
GRANITE MOUNTAIN WATER COMPANY,
INC. FOR APPROVAL OF FINANCINGS.

DOCKET NO. W-02467A-09-0334

**STAFF'S CLARIFICATION ON THE
ADMINISTRATIVE LAW JUDGE'S
RECOMMENDATION OPINION AND
ORDER**

The Utilities Division of the Arizona Corporation Commission ("Staff") files this proposed request for clarification to the Administrative Law Judge's ("ALJ") Recommended Order ("ROO") dated July 29, 2010. The purpose of this filing is to clarify for the record the discrepancy between two Wells' physical locations as observed by Staff and their recorded locations according to the Arizona Department of Water Resources ("DWR").

Staff would like to clarify the Findings of Fact No. 72 of the Order. Specifically, this finding of fact reads as follows:

During its review of the Easement Agreement, Staff determined that the actual locations of Well No. 4 and Well No. 5, which are accurately reflected in the Easement Agreement's legal descriptions of Daniel's home property and the Stables Property, are not the locations included in ADWR's records for Well No. 4 and Well No. 5.

As indicated in footnote 57, the Administrative Law Judge based this finding of fact on information contained on page 6 of Staff's Response to Procedural Order ("RPO"). The relied upon paragraph from Staff's RPO states:

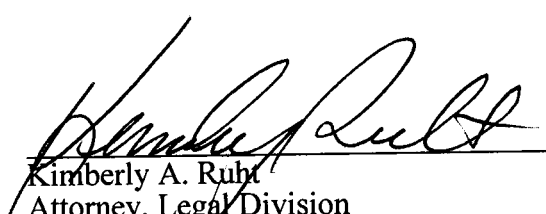
During Staff's review of the legal description as contained in Exhibit A and Exhibit B to the Easement, Staff discovered that the actual locations of Well #4 and Well # 5 differ from DWR's record of their

1 locations. Based on Staff's field inspection, the legal description
2 contained in the easement, and analysis of area maps, Staff confirms
3 that the easement's description does in fact lead to the physical
locations of Well #4 and Well #5.

4 Attached as Exhibit C to Staff's RPO is a map that shows the Arizona Department of Water
5 Resources' ("DWR") recorded locations of Well No. 3 and Well No. 4.

6 Staff respectfully requests correction of an error regarding which well number's physical
7 locations are inconsistent with DWR's recorded locations. Staff's RPO erroneously stated that it was
8 Well No. 4 and Well No. 5, however the wells in question are in fact Well No. 3 and Well No. 4, as
9 shown in Exhibit C to Staff's RPO. Staff notes that the correction of this error has no material effect
10 on Staff's recommendations in this case. Therefore, Staff requests that the Commission correct this
11 error in the Order to reflect that it is Wells Nos. 3 and 4 where there is a discrepancy between
12 physical location and DWR's recorded location.

13 RESPECTFULLY SUBMITTED this 4th day of August 2010.

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17 Kimberly A. Ruht
18 Attorney, Legal Division
19 Arizona Corporation Commission
1200 West Washington Street
20 Phoenix, Arizona 85007
(602) 542-3402

21 Original and thirteen (13) copies
22 of the foregoing filed this
23 4th day of August 2010 with:

24 Docket Control
25 Arizona Corporation Commission
1200 West Washington Street
26 Phoenix, Arizona 85007

27 ...

28 ...

1 Copy of the foregoing mailed this
2 4th day of August 2010 to:

3 Matthew Lauterbach, Chief Operating Officer
4 Granite Mountain Water Company, Inc.
5 2465 West Shane Drive
6 Prescott, Arizona 86305

7 Kayn Christine

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